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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:
Raymond KUZBYT, et al.

Appl. No.: 10/721,235

Filed: November 26, 2003

For: **SYSTEM AND METHOD FOR NON-
DESTRUCTIVE IMPLANTATION
CHARACTERIZATION OF
QUIESCENT MATERIAL**

Art Unit: 2812

Examiner: Not yet assigned

Atty. Docket: IMM-11401

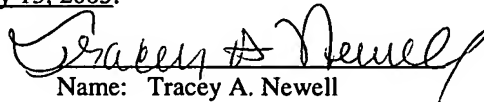
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JAN 27 2005

OFFICE OF PETITIONS

CERTIFICATE OF MAILING

I hereby certify that the foregoing document is being deposited with the United States Postal Service, postage prepaid, first class mail, in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on January 13, 2005.


Name: Tracey A. Newell

SUBMISSION TO CORRECT SMALL ENTITY STATUS UNDER 37 C.F.R. 1.28(c)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir/Madam:

Applicant respectfully submits this paper to correct the previous good faith establishment of Small Entity Status for the above-referenced patent. Applicant respectfully requests that any error in establishing Small Entity Status be excused in accordance with 37 C.F.R. 1.28(c). On November 26, 2003, \$874.00 in fees were paid in connection with Basic Statutory Filing Fee and Additional Claim(s) fees for the above-referenced patent application. On April 23, 2004, \$65.00 in fees were paid in connection with a response to Notice to File Missing Parts. Small Entity Status was established in good faith and Small Entity fees were paid in good faith in connection the above filings.

01/26/2005 DALLEN 00000021 10721235

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2581.00 OP

In accordance with 37 C.F.R. 1.28(c), Applicants respectfully submit herewith a check for **\$2,581.00** to cover the deficiency owed resulting from the previous erroneous payment of Small Entity fees.

Filing New Patent Application:

Basic Statutory Filing Fee

Fee for non-small entity at time Small Entity fee was paid in error	\$770.00
Current fee for non-small entity (current fee increase)	\$790.00
Small Entity fee actually paid	\$385.00
Deficiency Owed	
(\$790.00 - \$385.00)	<u>\$405.00</u>

Additional Claim Fee

Fee for non-small entity at time Small Entity fee was paid in error	
(40 extra claims @ \$18.00 for each claim)	\$ 720.00
Current fee for non-small entity	
(40 extra claims @ \$50.00 for each claim)	\$2000.00
Small Entity fee actually paid	\$ 360.00
Deficiency owed	
(\$2000.00 - \$360.00)	<u>\$1640.00</u>

Additional Independent Claim Fee

Fee for non-small entity at time Small Entity fee was paid in error	
(3 extra independent claims @ \$86.00 for each independent claim)	\$258.00
Current fee for non-small entity	
(3 extra independent claims @ \$200.00 for each independent claim)	\$600.00
Small Entity fee actually paid	\$129.00
Deficiency owed	
(\$600.00 - \$129.00)	<u>\$471.00</u>

Notice to File Missing Parts:

Surcharge Under 37 C.F.R. 1.16(e)

Fee for non-small entity at time Small Entity fee was paid in error \$130.00

Current fee for non-small entity \$130.00

Small Entity fee actually paid \$ 65.00

Deficiency owed

(\$130.00 - \$65.00) \$ 65.00

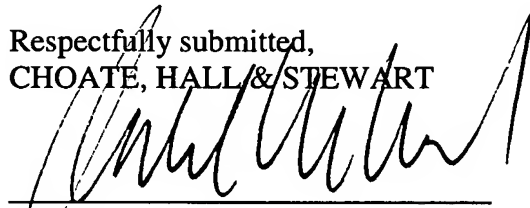
TOTAL DEFICIENCY

\$2,581.00

Although we believe that we have appropriately provided for any fees due in connection with this submission, the Commissioner is authorized to credit any overpayment or charge any deficiencies to/from our **Deposit Account No. 03-1721**. Two originally-executed copies of this form are being submitted.

Should there be any questions after reviewing this paper, the Examiner is invited to contact the undersigned at 617-248-4038.

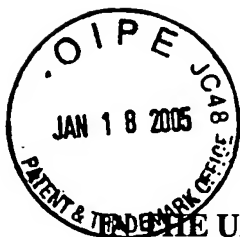
Respectfully submitted,
CHOATE, HALL & STEWART



Donald W. Muirhead
Registration No. 33,978

Date: January 13, 2005

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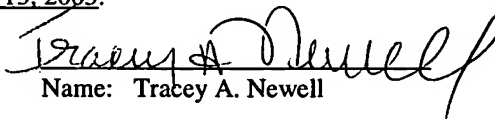
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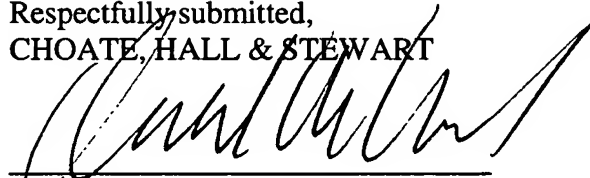
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